

# Overview of Redistricting

Legislative Redistricting Committee



**Office of Legislative Research & General Counsel**

## Why Redistrict?

- The Great Compromise
- Unequal population growth creates inequities
- One person, one vote
- Utah Constitution, Article IX, Section 1:  
“... the Legislature shall divide the state into congressional, legislative, and other districts...”

## Relative Growth

Absolute numbers are less important than relative numbers:

- Growth slower than average – districts expand
- Growth faster than average – districts contract

Disproportionate Growth Creates Inequity

# Reapportionment

435 U.S. House seats are apportioned based on 2020 census results as follows:

- Each state receives one guaranteed Congressional seat
- Remaining 385 seats divided “apportioned” among the states based on population

# Redistricting

Redistricting is the process of redrawing new district boundaries for congressional, legislative, and state school board districts.



# Redistricting ≠ Reapportionment

**Reapportionment:** reallocation of 385 Congressional districts among the states based on each *state's reapportionment population*

**Redistricting:** act of redrawing congressional, legislative, and state school board district boundaries based on each state's *resident population*

# Target Population

The Legislature redraws district boundaries based on results of the most recent results of the U.S. Census Bureau **resident population** count. This count is used to determine the target district size of districts by type:

- Congressional
- Utah House of Representatives
- Utah Senate
- State Board of Education



## Resident Population

|              | Districts | 2000      | 2010      | 2020      |
|--------------|-----------|-----------|-----------|-----------|
| Population   |           | 2,233,169 | 2,763,885 | 3,271,616 |
| Congress     | 3         | 744,390   |           |           |
| Congress     | 4         | 558,292   | 690,971   | 817,904   |
| Senate       | 29        | 77,006    | 95,306    | 112,814   |
| House        | 75        | 29,776    | 36,852    | 43,622    |
| School Board | 15        | 148,878   | 184,259   | 218,108   |





## Resident Population

| District Type | Number | Target District Size | Legal Standard          | Committee Standards   |                   |
|---------------|--------|----------------------|-------------------------|-----------------------|-------------------|
|               |        |                      |                         | Deviation From Target | Population Range  |
| Congress      | 4      | 817,904              | As close as practicable | ±0.1%                 | 817,086 – 818,722 |
| School Board  | 15     | 218,108              | 10% overall             | ±5.0%                 | 207,202 – 229,013 |
| Senate        | 29     | 112,814              | 10% overall             | ±5.0%                 | 107,174 – 118,455 |
| House         | 75     | 43,622               | 10% overall             | ±5.0%                 | 41,440 – 45,803   |



# Population

## Overview

Congressional Districts – “One person, one vote”

State Legislative Districts – “Substantial equality”



# Population

## Congressional Districts

### **One person, one vote**

“States must draw congressional districts with populations as close to perfect equality as possible.”

– United States Supreme Court



**To challenge – Plaintiff must prove . . .**

. . . population differences could have been reduced or eliminated “by a good-faith effort to draw districts of equal population.”

– United States Supreme Court



**If plaintiff meets burden – State must prove . . .**

. . . “that each significant variance between districts was necessary to achieve some legitimate goal.”

– United States Supreme Court



### **Redistricting Principal for Congressional Maps**

“Congressional districts must be as nearly equal as practicable with a deviation not greater than  $\pm 0.1\%$ .”



## Substantial Equality

The vote of any citizen must be “approximately equal in weight to that of any other citizen in the State.”

– United States Supreme Court



# Population

State Legislative and State School Board Districts

## Substantial Equality

10% Deviation Standard    ( $\pm 5\%$ )





### **Redistricting Principle for State Legislative and State School Board**

“State legislative districts and state school board districts must have substantial equality of population among the various districts with a deviation less than  $\pm 5.0\%$ .”



- Voting Rights Act - Majority Minority Districts

District where the majority of the voting age population in the district is of the same minority race, color, or language group.

- Prohibition on using race as the primary factor in drawing a district.